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Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

HELLER EHRMAN LLP,

Debtor.

Case No.: 08-32514

Chapter 11

**NOTICE AND OPPORTUNITY FOR
HEARING ON OBJECTION TO PROOF OF
CLAIM FILED BY MARIAN BENASSI AND
ESTATE OF JOHN BENASSI [CLAIM NO.
807]**

[Pursuant to B.L.R. 9014-1, no hearing unless
objection filed or hearing requested]

**TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY JUDGE;
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS; THE OFFICE OF THE
UNITED STATES TRUSTEE; MARIAN BENASSI AND ESTATE OF JOHN BENASSI;
AND ANY PARTIES ENTITLED TO SPECIAL NOTICE:**

PLEASE TAKE NOTICE that Heller Ehrman LLP, the debtor and debtor-in-possession in the above-captioned case (the "Debtor"), hereby objects to the claims as identified in the *Objection to Proof of Claim Filed by Marian Benassi and Estate of John Benassi [Claim No. 807]* (the "Objection"). The Objection affects claimant Marian Benassi and Estate of John Benassi ("Claimant"). You should therefore carefully review the exhibits to the Objection to determine how your claim is affected.

PLEASE TAKE FURTHER NOTICE that, pursuant to Bankruptcy Local Rule 9014-1(b)(3), any opposition to or request for hearing on the Objection must be filed with the Court (which is located at 235 Pine Street, San Francisco, CA 94104-2791) and served upon counsel

1 for the Debtor (at the address set forth above) so that it is received within twenty one (21) days
2 of the date of this Notice. Any opposition or request for hearing must be accompanied by any
3 declarations or memoranda of law that the opposing or requesting party wishes to present in
4 support of its position. If an opposition or request for hearing is timely filed and served, the
5 Debtor will set the matter for hearing and will provide at least seven (7) days' written notice of
6 the hearing to the opposing or requesting party. If there is no timely opposition or request for
7 hearing, the Court may decide that you do not oppose the Objection to your claim and may
8 grant the relief requested in the Objection by default.

9 PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 3007-1 of the United
10 States Bankruptcy Court for the Northern District of California, where a factual dispute is involved,
11 the initial hearing on the objection shall be deemed a status conference at which the Court will not
12 receive evidence. Where the objection involves only a matter of law, the matter may be argued at
13 the initial hearing.

14 PLEASE TAKE FURTHER NOTICE that the Debtor reserves: (a) the right to object to or
15 seek disallowance or reclassification of any claim that is subject to the Objection on any other
16 grounds as the Debtor or its successors may later assert; (b) the right to assert any claims, demands
17 for relief requiring an adversary proceeding consistent with Rule 3007(b) and Rule 7001 the Federal
18 Rules of Bankruptcy Procedure, counterclaims, rights of offset or recoupment, preference actions,
19 fraudulent-transfer actions, or any other bankruptcy or non-bankruptcy claims and causes of action
20 against the claimants whose claims are subject to the Objection; and (c) the right to withdraw
21 without prejudice the Objection as it applies to any claim that is subject to the Objection prior to the
22 hearing thereon and, in case of any such withdrawal, to assert the same (or other) objections to that
23 claim in a later objection (or later objections) to that claim.

24 Dated: August 31, 2010

PACHULSKI STANG ZIEHL & JONES LLP

25 By /s/ John D. Fiero

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